

## **Chapter 26.27**

### **MINIMUM IMPROVEMENTS**

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#### **26.27.005 General Requirements.**

The items listed in this chapter shall be the minimum improvements required in a subdivision. These minimum improvements shall conform to and be constructed in conformance with the design standards approved by the city, other sections of the Lincoln Municipal Code, and the standard specifications of the city. The subdivider, his successors and assigns, shall be responsible for the entire cost and expense of the minimum improvements unless indicated otherwise in this title. The Planning Director may waive the minimum improvements when no additional lots are created in a subdivision. (Ord. 18502 §20; February 14, 2005; prior Ord. 13157 §59; June 29, 1981).

#### **26.27.010 Street Improvements.**

All streets, alleys, public ways, and rights-of-way shall be graded to their full width and brought to the approved grade; provided, the city may waive, modify, or delay this requirement in order to save existing trees. All streets abutting and within a new subdivision shall be paved with curbs and gutters if the street is within the city limits or if the subdivision will be annexed with the approval of the subdivision. If not within the city and not annexed, the streets shall be surfaced with crushed rock or its equivalent, or paved. (Ord. 14565 §22; December 15, 1986; prior Ord. 13298 §2; January 18, 1982; Ord. 13157 §60; June 29, 1981; Ord. 11370 §1; May 19, 1975).

#### **26.27.020 Sidewalks.**

Concrete sidewalks shall be constructed to the specifications set forth in Chapter 14.80 of this code in pedestrian ways and on both sides of all streets and private roadways within the subdivision and on the side of the streets abutting the subdivision, except as otherwise provided in this title. Notwithstanding the above, the sidewalk requirements are not required in that part of a subdivision located outside the city limits where all lots contain an area of one or more acres. (Ord.

18456 §1; October 11, 2004: prior Ord. 14565 §23; December 15, 1986: Ord. 13157 §61; June 29, 1981: Ord. 11370 §1; May 19, 1975).

**26.27.030 Water Supply.**

(a) All subdivisions within the corporate limits of the city or within the future urban area as designated in the comprehensive plan shall have a water distribution system constructed in conformance with the water main design standards of the city. Inside the corporate limits, where the city water supply is reasonably accessible to the subdivision, the city water distribution system shall be extended to enable each lot to make a supply connection in accordance with Titles 17 and 24 of the Lincoln Municipal Code. Outside of the corporate limits, the community water distribution system shall be extended to enable each lot within the subdivision to make a supply connection to a community water system. If the subdivision is annexed and the city water supply becomes available to individual lots within a subdivision, those lots shall be connected to the city water supply. Fire hydrants shall be installed in compliance with the water main design standards, in sufficient quantity and size to provide adequate protection for each lot within the subdivision as determined by the Fire and Rescue Department regardless of the type of water supply furnished to the subdivision.

(b) In all subdivisions beyond the future urban area as designated in the comprehensive plan, individual water well systems or a community water system shall be installed in such a manner that an adequate supply of potable water is available to every lot within the subdivision.

(c) In any subdivision where a community water system other than a rural water district is used, the subdivider, his successors and assigns, shall enter into an agreement with the city whereby the operation and maintenance of the community water system shall be in compliance with the rules and regulations for public water supply systems of the State of Nebraska, a permit to operate the system has been received from the State of Nebraska, and the operator of the system possesses a certificate of competency issued by the State of Nebraska. (Ord. 18170 §39; April 28, 2003: prior Ord. 14565 §24; December 15, 1986: Ord. 13157 §62; June 29, 1981: Ord. 11370 §1; May 19, 1975).

**26.27.040 Wastewater Disposal.**

(a) All subdivisions within the corporate limits of the city or within the future urban area designated in the comprehensive plan shall have a wastewater collection system constructed in accordance with the design standards of the city. All subdivisions located within the corporate limits of the city must connect to the city wastewater collection system if the system is reasonably accessible. The city wastewater collection system shall be extended to enable each lot to make a connection in accordance with Titles 17 and 24 of the Lincoln Municipal Code. The community wastewater works shall be extended to enable each lot not having reasonable access to the city wastewater collection system to make a connection to a community wastewater works. However, as soon as the city wastewater collection system is available, each lot shall be connected to the city wastewater collection system.

(b) In any subdivision beyond the city limits or the future urban area as designated in the comprehensive plan, where more than four lots of three acres in size or less are created for building purposes, a community wastewater works shall be constructed to serve all the lots within the subdivision.

(c) In any subdivision, other than those designated in Section 26.27.040(b), located beyond the city limits or the future urban areas as designated in the comprehensive plan, on-site

wastewater treatment systems may be permitted if each disposal system is in conformance with Chapter 24.38 of this code and is approved by the City-County Health Department.

(d) In any subdivision where a community wastewater works is required, the subdivider, his successors and assigns, shall enter into an agreement with the city, whereby the operation and maintenance of the community wastewater works shall be in compliance with the rules and regulations of wastewater treatment works of the State of Nebraska, a discharge permit has been received from the State of Nebraska, and the operator of the system has been trained to operate the system and possesses a certificate of competency issued by the State of Nebraska. (Ord. 17959 §10; January 28, 2002; prior Ord. 14565 §25; December 15, 1986: Ord. 13157 §63; June 29, 1981: Ord. 11370 §1; May 19, 1975).

#### **26.27.050 Drainage.**

Storm drain pipes, ditch liners, and other drainage facilities shall be installed as per the approved drainage study. (Ord. 13157 §64; June 29, 1981: prior Ord. 11370 §1; May 19, 1975).

#### **26.27.060 Land Preparation and Grading.**

Any cut, fill, and compaction of land within, and if applicable, adjacent to the subdivision, shall be accomplished in accordance with design standards of the city and subject to the approval of the Department of Public Works and Utilities. No person shall engage in the grading or disturbance of any land one acre or greater in size without first submitting a drainage and grading plan setting forth the requirements of the design standards applicable to stormwater management, erosion, and sedimentation control and obtaining approval of said plan. If the land is within the floodplain or floodprone area, the applicable standards set forth in Chapter 26.24 or 26.25 must also be met. Any person who engages in the grading or disturbance of any land in violation of the provisions contained in this section shall be subject to an order to cease and desist such grading work. To control erosion and sedimentation during and after land preparation, the subdivider, his successors and assigns shall provide for disturbing only the areas needed for construction; removing only those trees, shrubs, and grasses that must be removed by construction; installing required sediment basins and diversion dikes before disturbing the land that drains into them; and temporarily stabilizing each segment of graded or otherwise disturbed land by seeding and mulching or by other approved methods. As land preparation is completed, the subdivider, his successors and assigns shall permanently stabilize each segment with perennial vegetation and structural measures. Diversion dikes and sediment basins shall be leveled after areas that drain into them are stabilized, and permanent vegetation shall be established on those areas. Sediment basins that are to be retained for storm water detention shall be seeded to permanent vegetation no later than nine months after completion of the sediment basins and shall be permanently maintained by the subdivider or his successors and assigns. The land shall be graded and shaped as per the approved grading plan. (Ord. 18357 §1; May 10, 2004: prior Ord. 18187 §3; June 2, 2003: Ord. 17617 §8; February 22, 2000: Ord. 16950 §13; March 11, 1996: Ord. 13157 §65; June 29, 1981: Ord. 11370 §1; May 19, 1975).

#### **26.27.070 Street Lighting.**

Street lighting shall be constructed in collector and local streets and private roadways within the subdivision and on the side of the streets and private roadways which abut the subdivision, with an underground connection to the local electrical system in accordance with the illumination requirements and design standards of the Lincoln Electric System. Notwithstanding the above, the street lighting requirements are not required in that part of a subdivision located outside the city

limits where all lots contain an area of one or more acres. (Ord. 18456 §2; October 11, 2004: prior Ord. 13956 §20; September 17, 1984: Ord. 13157 §66; June 29, 1981: Ord. 11370 §1; May 19, 1975).

#### **26.27.080      Landscape Screens.**

Landscape screens as required by the city shall be installed at the subdivider's expense as a buffer for the protection of residential properties along major streets, railroad rights-of-way, and land uses which are substantially different from that proposed in the subdivision. The design of the landscape screen shall be reviewed and approved by the Planning Director in accordance with the design standards for landscape screens of the city on file with the City Clerk. The required landscape screens shall be installed on private property within the subdivision to be maintained by the subdivider, his heirs, successors, and assigns. The installation of the landscape screens shall be under the direction and subject to the approval of the director of parks and recreation. Notwithstanding the above, the landscape screen requirements are not required in that part of a subdivision located outside the city limits where all lots contain an area of one or more acres. (Ord. 18456 §3; October 11, 2004: prior Ord. 13157 §67; June 29, 1981: Ord. 11370 §1; May 19, 1975).

#### **26.27.090      Trees.**

Trees shall be planted along both sides of all streets and private roadways within the subdivision and on the side of the streets and private roadways which abut the subdivision. The trees shall be planted in the public right-of-way, provided there is sufficient space, as determined by the Parks and Recreation Department. Notwithstanding the above, the tree requirements are not required in that part of a subdivision located outside the city limits where all lots contain an area of one or more acres. (Ord. 18688 §2; March 20, 2006: prior Ord. 18456 §4; October 11, 2004: Ord. 15904 §1; June 10, 1991: Ord. 13956 §21; September 17, 1984: Ord. 13157 §68; June 29, 1981: Ord. 11370 §1; May 19, 1975).

#### **26.27.100      Temporary Turnaround and Barricade.**

A temporary turnaround shall be constructed at the end of all temporary dead-end streets which extend more than 150 feet beyond the nearest intersection with another street or private roadway. A barricade shall be constructed at the end of all temporary dead-end streets. The temporary turnaround and barricade shall be removed when the temporary dead-end street is extended into the abutting land. (Ord. 14565 §26; December 15, 1986: prior Ord. 13157 §69; June 29, 1981).

#### **26.27.110      Street Name Signs.**

The design and location of all street signs designating the name of streets and private roadways shall be approved by the Director of Public Works and Utilities. (Ord. 16950 §14; March 11, 1996: prior Ord. 13157 §70; June 29, 1981).